PLANNING COMMISSION MEETING

7:00 PM

April 8, 2021

Town Administrator Emergency Order No. 2-2020: All municipal facilities, including Town Hall where Planning Commission meetings are physically held, are closed to all members of the general public in response to the COVID-19 pandemic.

Town Administrator Emergency Order No. 4-2020: Planning Commission meetings are closed to members of the general public in response to the COVID-19 pandemic. The Town will provide for electronic, virtual participation by the general public, including applicants, residents and other interested parties during regular and special Planning Commission meetings via two (2) media types:

- **VIRTUAL PUBLIC PARTICIPATION: VIA ZOOM WEBINAR**

Instructions on how to participate in the public hearing are available by viewing the individual Planning Commission meeting listing on the Town's online calendar at www.parkeronline.org/calendar.

- **PUBLIC VIEWING ONLY: FACEBOOK LIVE**

Planning Commission meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

  - **PLEASE NOTE: PUBLIC PARTICIPATION IS NOT AVAILABLE THROUGH FACEBOOK LIVE.**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **ADDITIONS TO OR DELETIONS FROM THE AGENDA**

5. **APPROVAL OF MINUTES**

   A. **March 25, 2021 Meeting Minutes**

6. CONSENT AGENDA

7. PUBLIC HEARINGS

A. PARKER HOMESTEAD FILING 1 LOT 1 - Use by Special Review Gas Station

Applicant: Mohan Muthu, Mitrah Investments and Holdings, LLC
Location: Generally located on the west side of Chambers Road north of Double Angel Road
Department: Community Development, Stacey Nerger
TRAKiT No.: Z20-012

B. PARKGLENN FILING 3 LOT 1 BLOCK 2 - Rezone from PD to Commercial

1) Amending Ordinance No. 3.38 by the Deletion of Certain Property (Parkglenn Subdivision Filing No. 3, Lot 1, Block 2) from the Planned Development Zoned Area Known as Parkglenn

2) Rezoning Certain Property (Parkglenn Subdivision Filing No. 3, Lot 1, Block 2) **From Parkglenn Planned Development to C-Commercial Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to conform Therewith.**

Applicant: Masterworks, LLC
Location: Generally located on the the west side of Parker Road, South of Parkglenn Way
Department: Community Development, Krista Flynt
TRAKiT No.: Z20-020

8. PLANNING COMMISSION ITEMS

9. STAFF ITEMS

10. ADJOURNMENT

PLANNING COMMISSION MINUTES
March 25, 2021

Chair Gary Poole called the meeting to order at 7:00 p.m.

The Planning Commission and audience joined in saying the Pledge of Allegiance.

Also, present and seated were Commissioners Kimberly Rodell, Richard Foerster, Ruth Ann Nelson, John Howe, Erik Frandsen, and Eliana Burke. Alternates Anthony Matthews and Susan Caudill were present.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the February, 2021 meeting minutes.
Commissioner Eliana Burke seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:03 P.M. ROBINSON RANCH FILING 2, AMD 2, LOT 8 - Use by Special Review

The applicant, Dr. Lindsay Mamula, has submitted a Use by Special Review for Vet Hospital, Z20-015, which will allow for a veterinary hospital and pet boarding facility on Lot 8 of Robinson Ranch Filing 2, Amendment 2. The site is generally located South of Hess Road and East of Parker Rd. The exact address is 12373 Pine Bluffs Way.

Department: Community Development, Krista Flynt

Krista Flynt, staff planner, presented the staff report for Use by Special Review for the proposed vet hospital, Z20-015, to allow for a veterinary hospital and pet boarding facility on Lot 8 of Robinson Ranch Filing 2, Amendment 2. Ms. Flynt concluded with the determination in the staff report recommending the Planning Commission recommend that Town Council approve the Use by Special Review request to allow for a vet clinic and pet boarding facility within the Robinson Ranch Planned Development with the six conditions outlined in staff's report.

Commissioners discussed with staff:

- Concerns about after hours' kennel supervision, would there be an employee on site overnight; *(applicant said the anticipated after hours' would be between the hours of 8 PM and 5 AM and the boarding area would be monitored by video cameras).*

- How many employees would the clinic and boarding facility employ? *(applicant said that they currently have 23 employees and expect to have 50 employees with the new facility.*
- Concerns about the number of parking spots available, would the parking spots be shared with neighboring business, would there be sufficient parking for employees and customers; *(applicant said that there will be 73 parking spots, the spaces will not be shared with neighboring businesses, and the amount of parking spaces will be sufficient for employees and customers; applicant also stated that not all 50 employees would be on site at the same time).*
- Concerns about dog waste; *(applicant said that dog waste would be cleaned up immediately, bagged and disposed of in trash receptacles. Trash collection would occur twice per week or as necessary).*
- Were there any negative letters from surrounding businesses; *(staff said there were no negative letters received, but that they did receive an approval letter from the Board of Directors for The Shops at Robinson Ranch Association*

APPLICANT PRESENTATION

Town staff presentation only.

Chair Gary Poole stated this is the time where citizens are encouraged to speak publicly. The use of video conference technology can be challenging when inviting public comment. Therefore, to help us proceed in an organized fashion, we request that you use the "Raise Your Hand" feature to indicate you would like to speak. We will acknowledge speakers in the order they are received. When you are acknowledged for your turn to speak, we request that you introduce yourself by stating your name and address and speak respectfully. Your comments will be limited to three (3) minutes.

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:17 P.M. ROBINSON RANCH FILING 2, AMD 2, LOT 8 - Use by Special Review

PLANNING COMMISSION DISCSSION

Planning Commissioners discussed that they were not concerned with noise, that the applicant chose a good location, that they were glad to see this parcel being developed, that they were surprised at the size of the proposed veterinary hospital, and that they were pleased to see a local Parker business expand and stay within the Town.

Commissioner John Howe moved the Planning Commission recommend Town Council approve the Robinson Ranch Filing 2, AMD 2, Lot 8 – Use by Special Review allowing for the construction of a new Veterinary hospital and pet boarding facility. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS

John Howe asked Bryce for an update on the Chase Bank project located at the South west corner of Parker Rd. and Mainstreet. *(Bryce said the Site Plan was nearing completion, one outstanding item remained and that the hope is the applicant will pull a demolition permit for the old gas station shortly after Site Plan approval.)*

Richard Foerster asked Bryce for an update on the Kime Ranch – *(Bryce said the original proposal was withdrawn, but that a new applicant had submitted a pre-application, but no formal application.*

Eliana Burke asked Bryce for an update as to when Planning Commission meetings would resume live meetings at Town Hall *(Bryce said he expected that in person Planning Commission meetings would align with the opening of Town Hall, most likely around June, and that staff would have a further conversation with Planning Commission when there was more information available)*

STAFF ITEMS

Bryce Matthews introduced the Planning Department's newest member, Krista Flynt, to the commissioners, stating they he believed she did an excellent job presenting tonight's case. Bryce also reminded the commissioners that term expiration letters will be sent out next week and that Commissioners with expiring terms are encouraged to reapply.

ADJOURNMENT

The meeting was adjourned at 7:27 p.m.

Jeff Miller	Gary Poole
Recording Secretary	Chair

Planning Commission Staff Report

Planning Commission Date:	**4/8/2021**
Town Council Date:	**4/19/2021**
Hearing Type:	**Public Hearing** **Parker Homestead Filing No. 1 Amendment No. 1 Tract A– Use by Special Review** **TRAKiT No.: Z20-012**
Location:	**Generally located west of Chambers Road and north of Double Angel Road**
Project Planner:	**Stacey Nerger, Planner**
Applicant:	**Mohan Muthu, Mitrah Investments and Holdings, LLC**
Executive Summary:	**The applicant, Mitrah Investments and Holdings, LLC, is requesting a use by special review to allow for a gas station in Parker Homestead, also known as Heirloom. The site is located on the west side of Chambers Road north of Double Angel Road**
Staff Recommendation:	**Approval with Conditions**

RECOMMENDED MOTIONS

"I move the Planning Commission recommend Town Council approve the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review to allow for a gas station subject to the four (4) conditions contained in staff's report:"

1. That the Use by Special Review materials submitted to the Community Development Department on March 15, 2021 shall be the approved Use by Special Review materials.

2. The applicant shall provide buffering along the south and west property lines, that is above the minimum requirements within the Town of Parker Land Development Ordinance. Required enhanced buffering will be reviewed and approved through the Site Plan process.

3. The Replat to create Lot 1 shall be recorded prior to approval of a Site Plan approval.

4. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review."

"I move the Planning Commission recommend Town Council deny the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review:"
-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission vote to continue the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review to a future date."

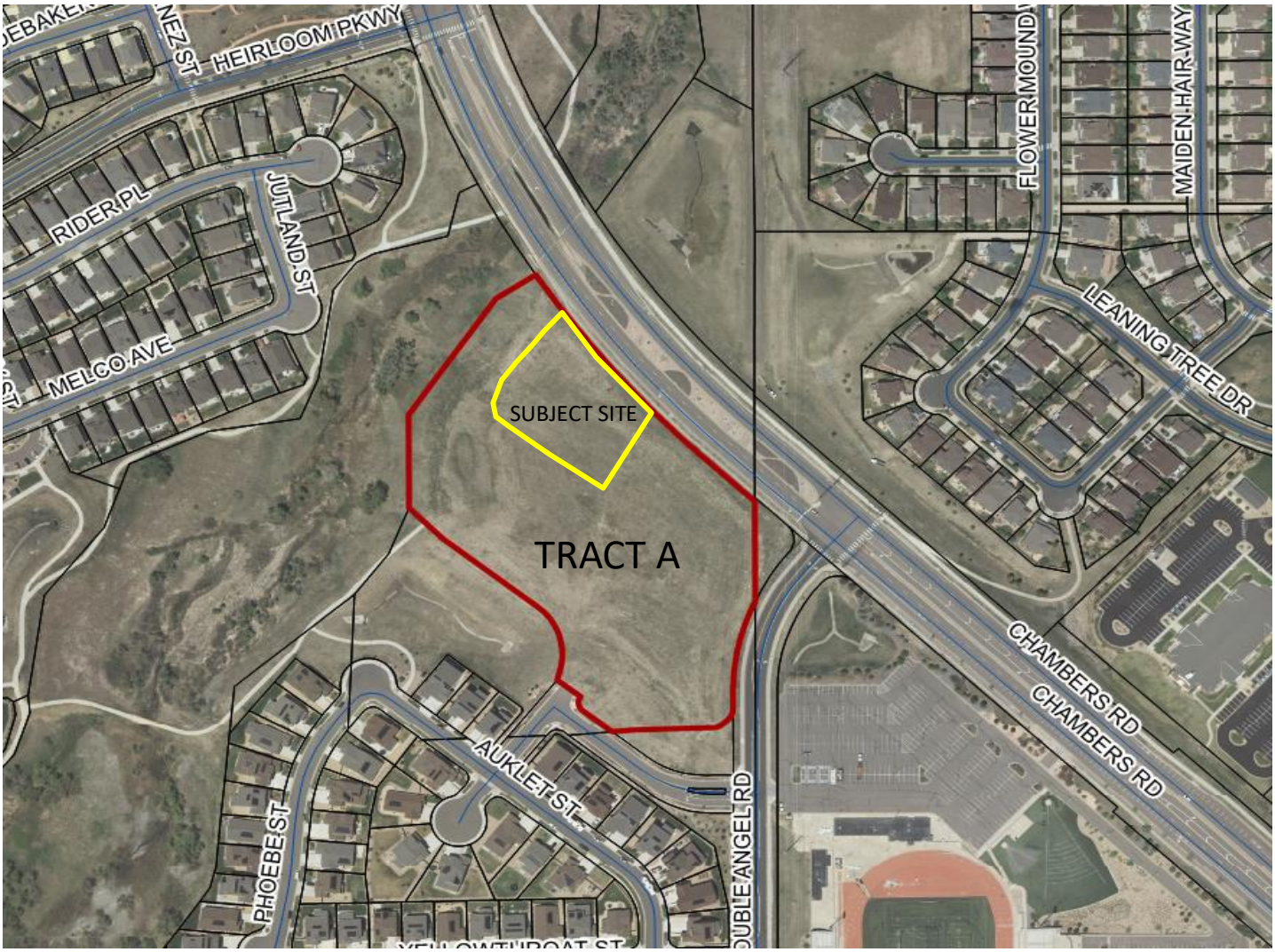
I. BACKGROUND/DISCUSSION

The applicant is requesting a Use by Special Review to allow for a gas station to be located on the property. The subject site is located within the Mixed Use Neighborhood Center Planning Area of the Parker Homestead Planned Development at the southwest corner of Chambers Road and Double Angle Road. A convenience store with gasoline pumps is listed as a Use by Special Review within the Planned Development zoning. The applicant is proposing to construct a gas station convenience store on approximately 1.67 acres on proposed Lot 1 of the Parker Homestead Filing No. 1, 2nd Amendment Plat.

Uses by Special Review are established in zone districts when a proposed use may present external impacts that require additional review beyond those uses that are considered uses-by-right within a zone district. The request for a Use by Special Review is a discretionary request made by a private property owner or applicant. The Use by Special Review is to determine whether or not the requested use meets or can meet, subject to conditions, the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VII of this staff report.

A Use by Special Review does not include the review of specific development standards or construction standards. The review of those items occurs during the site plan and building permit processes.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
2010	Town Council approved the annexation of the subject property.
2011	The current Parker Homestead Development Plan was approved by Town Council.
2012	The Second Amendment to the Parker Homestead Development Guide was approved by Town Council.
2013	The Parker Homestead Filing #1 1st Amendment plat was recorded.

2019	Parker Homestead Filing #1 2nd Amendment Replat was submitted to the Town. The property owner submitted a Replat to plat Tract A into five commercial lots and one tract. This application is still under review.

CURRENT SITE DATA

Existing Zoning	PD - Planned Development
Overlay District	N/A
PD & Plan Area	Parker Homestead – Planning Area 1 (Mixed-Use Neighborhood Center)
Master Plan Area	Neighborhood Center
Site Acreage	1.67 acres
Subdivision	Parker Homestead Filing #1 1st Amendment
Existing Use	Undeveloped

Surrounding Uses			
	Master Plan Land Use	**Zoning**	**Existing Use**
North	Neighborhood Center	PD - Planned Development	Open Space/Drainage
South	Neighborhood Center	PD - Planned Development	Vacant Commercial Land, Echo Park Stadium and Single-Family Detached Homes
East	Low Density Residential	PD - Planned Development	Chambers Road and Single-Family Detached Homes
West	Low Density Residential	PD - Planned Development	Vacant Commercial Land, Drainage and Single-Family Detached Homes

III. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY	
Master Plan Designation	Neighborhood Center ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	**Neighborhood Centers:** Serve the basic needs of the surrounding residents. Typical uses include convenient retail and personal/business services usually anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted. The total Gross Leasable Area for the commercial/office components within an entire Neighborhood Center should range from a combined 50,000 to 250,000-square feet. Higher density

	residential is appropriate as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle. Typical garden style apartment designs are not appropriate.
Consistent Goals/Strategies	Land Use 1.C Land Use 1.E Jobs and Economic Vitality 2.A Transportation 2.B
Inconsistent Goals/Strategies	None
Staff Analysis	The subject property falls within a Neighborhood Center as identified in the Town's General Land Use Plan. Within the description of this designation, commercial uses are specifically identified as appropriate uses. • Land Use 1.C: The request would expand the Town's economic base in an area that is designated for commercial uses and zoned for commercial uses. • Land Use 1.E: There would be an adequate transition from the proposed use to different land uses through drainage facilities, open space, rights-of-way and increased buffering techniques. • Jobs and Economic Vitality 2.A: The request would provide for expanded commercial activities in an area designated as a Neighborhood Center. • Transportation 2.B: The transportation systems that would serve this proposal are either in place or can be constructed to adequately serve the proposal. The proposed use of a gas station and convenience store is consistent with the Parker 2035 Master Plan General Land Use Plan and the goals and strategies of the Plan.

IV. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	**Existing/Required**	**Proposed**	**Analysis**
Setbacks	Chambers Road – 75' Double Angel Road – 20' Newlin Gulch Flooplain – 20' South property line – 20' Internal public streets – 15' Internal private drives – 10' Adjacent to residential – 25'	Setbacks will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	N/A	The request is for commercial development.	☐ Consistent ☐ Inconsistent ☒ N/A
Height/Stories	35'	Building height will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	None.	Compliance for lot size is reviewed with the subdivision application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Coverage	None.	Compliance for lot coverage is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Compliance for landscape requirements is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Off-Street Parking	Title 13.06.050	Compliance for parking is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	The specific details related to the development of the property are not a part of the Use by Special Review, but will be reviewed during the site plan and subdivision applications if the Use by Special Review is approved. The proposed site is large enough and regular shaped as to allow for a gas and convenience store to be constructed that meets the zoning and Development Design Standards requirements.		

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The commercial property in the Parker Homestead development will be served by the existing Pelican Street on the south side of the site. This roadway and associated access

was intended for, and constructed to serve, both the residential and the commercial components of this Planning Area when the residential uses were constructed. The property owner is proposing to construct a private spine roadway that will connect Double Angel Road to Chambers Road with a second private roadway connecting Pelican Street to the spine roadway. These proposed private roadways will provide Lot 1 (subject property) with access.

VI. APPROVAL CRITERIA

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant analysis and findings:

1) The UBSR proposed development will match all of Town of Parker's requirements on Architecture, Site Planning, Landscaping, and other characteristics required by the Town of Parker for this development to be in harmony with and compatible with the character of the surrounding areas and neighborhood.

2) UBSR Site Location:
This UBSR site of about 1.67 acres of retail uses is located on and a part of the 10 acres designated for retail uses in the Parker Homestead Development Guide. Specifically, this proposed 1.67 acres is located at the north end of this site, next to Chambers Rd and north of Double Angel Rd. The location for this UBSR proposed 1.67 acres is shown on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021.

3) Closer Convenience Shopping Alternatives:
The surrounding neighborhood of newer homes has now matured sufficiently to support closer convenience shopping alternatives than are currently available to these neighbors. The proposed gasoline pumps as part of the convenience store, and car wash will bring these everyday consumer items closer to serve the needs of the surrounding homes, the church, and those attending the ball fields activities along Double Angel Rd. As examples, the closest existing shopping conveniences for these neighbors are:

- 4.6 miles round trip to obtain milk, bread, and other essential food and consumer items;
- 4.6 miles round trip to the closest gas station;
- 7.0 miles round trip to the closest car wash;

Source: Google Maps

Detailed information on these and other shopping conveniences are listed in the attached "Exhibit C - Distances to Closest Shopping Conveniences" located at the end of this application.

4) Proposed Gasoline Pumps with Convenience Store:

Mitrah proposes to build, own, and operate the below listed convenience stores. Their permitted use status is also listed next to each use:

- 2,500 +/- SF Convenience Store. This use is permitted by the Development Guide.
- Gasoline Pumps are permitted as a part of the proposed Convenience Store per the Development Guide. In addition, the gasoline pumps require a UBSR (Use By Special Review) approval which is the subject of this application.
- 860 +/- SF Single Bay Car Wash with automatic closing doors on front and back. The car wash is permitted as an "accessory building" to the Convenience Store per the Development Guide.
- 2,500 +/- SF Package Liquor Store. This use is permitted by the Development Guide.

Staff analysis and findings:
The subject property is located at the intersection of Chambers Road and Double Angel Road. Existing land uses in the vicinity of this intersection include single-family homes, drainage and open space amenities, a church, Echo Park stadium and Double Angel ballpark. The existing character of the area is a mix of uses, including sporting related uses that accommodate hundreds of people at a time. The addition of a gas station would add to the mix of uses in the area and would provide an additional service use to the surrounding neighborhood. The proposed site for the convenience store with gasoline pumps is not located directly adjacent to residential uses.

The applicant will be required to submit a Site Plan application for the development of the gas station at this location. The Site Plan shall include

Therefore, staff has determined that this criterion can be satisfied.

2. Will be consistent with the Town Master Plan.

Applicant analysis and findings:

1) The Master Plan "reflects the Parker area residents' and business owners' values and These proposed business uses are consistent with Parker's "2035 Master Plan" updated December 3, 2018, which designates this commercial site as a "Neighborhood Commercial Center". This site is shown in the Master Plan in Figure "6B: GENERAL LAND USE PLAN" on page 49.

2) The gasoline pumps are a part of the proposed convenience store, which meets the stated objectives of the Town of Parker's Master Plan for a "Neighborhood Commercial Center", which states the following and applies to these proposed businesses:

Town of Parker's Master Plan page 59 states:

A Neighborhood Commercial Center "…should be planned to serve the basic needs of the surrounding residents. Typical uses … include convenient retail and personal/business services, generally anchored by a grocery store. Other

compatible uses such as small offices, recreational uses and restaurants are also permitted."

Staff analysis and findings:
The Town's Master Plan depicts this area as being located within the Neighborhood Center Character Area which is intended to included uses that serve the basic needs of the surrounding residents. The proposed convenience store with gasoline pumps is a service that is not located within the surrounding area. As outlined in the applicant's narrative the closest existing gas station is more than 4.5 miles away.

Compliance with the Parker 2035 Master Plan is further described in Section III. Parker 2035 Master Plan located above in this report.

Therefore, staff has determined that this criterion can be satisfied.

3. Will not result in an over-intensive use of land.

Applicant analysis and findings:
This UBSR proposal will not result in an over-intensive use of land as this UBSR proposal uses about 1.3 acres broken down into about 10% of Building footprint, about 60% of Driveways and Parking, and about 30% of Landscaping and walks. Below is the breakdown:

- Building Land Area: 5,864 SF; 10.2 % of Total
- Drive Aisles and Parking: 34,350 SF; 59.9 %
- Landscape and walks: 17,177 SF; 29.9%

  Total: 57,391 SF; 100% (1.3 Acres)

The above figures are located on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021, which is submitted as a separate exhibit to this UBSR application.

In addition, the following considerations are planned in this UBSR development:

1) Parking: The proposed gasoline pumps as part of the proposed convenience store will have sufficient onsite parking to meet the Town of Parker's requirements.

2) Landscaping: The gasoline pumps as a part of the convenience store will be built with a 75-foot buffer separating it from the adjacent Chambers Rd. This buffer along with the balance of this site will be designed by a professional landscaping contractor to meet the Town of Parker's landscape design requirements. An emphasis for low-water-use plants will be used as much as possible and that the Town of Parker approves.

3) Lighting: The gasoline pumps as a part of the convenience store will have directional lighting fixtures that are shading equipped to focus lighting downward on the site to minimize "nuisance lighting" from the site, and that meet Parker's lighting requirements.

4) Traffic Flow: The gasoline pumps as a part of the convenience store will be served by an interior road to allow internal auto traffic circulation between stores and to minimize the traffic impact to Chambers Rd and Double Angel Rd. Also, the gasoline pumps are located deliberately far enough away from the Chambers Rd entrance to generate easy in-and-out traffic flow at the Chambers entrance.

Staff analysis and findings:
The proposed use was anticipated within the developments initial traffic study for the property and the anticipated amount of daily trip utilizing the gas station are in line with the original study. A detailed site plan has not been submitted for this application in order to evaluate the development requirements for the property. However, the applicant has indicated an ability to meet the necessary development requirements for setbacks, landscaping and parking.

Therefore, staff has determined that this criterion can be satisfied.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant analysis and findings:
This UBSR proposed development will not impact capital improvement programs.

Staff analysis and findings:
It is not anticipated that the existing roadway network around the subject property will be unable to handle the additional traffic generated by the gas station use at this location. The Replat application being reviewed concurrently with this application will construct the private access road necessary to support the commercial lots. There are existing drainage improvements in place to handle developed storm water flows.

Therefore, staff has determined that this criterion can be satisfied.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant analysis and findings:
The site will require a curb cut on Chambers Road and another on Double Angel Rd. These curb cuts will be installed and paid for by the master developer. The new Neighborhood Shopping Center will be built with commercial quality materials that do not require any unusual fire or police protection. Landscaping will be installed to beautify this location while placing an emphasis on water conservation by selecting low water consuming plant materials wherever possible and as allowed.

Utilities and Town of Parker Services: The gasoline pumps as a part of the convenience store will be built to meet the Town of Parker's and utilities companies' design requirements and materials selections to efficiently use the public services (water, sewer, electric, gas, fire department, and police services).

Staff analysis and findings:
The applicant's request will not require a level of community facilities and services greater than that which is available.

Therefore, staff has determined that this criterion can be satisfied.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant analysis and findings:
This UBSR proposal will not result in undue traffic congestion or traffic hazards.
In 2011 a master traffic study was performed for the entire Parker Homestead Community. The title of this master traffic study is:

> "Parker Homestead Traffic Impact Analysis" dated February 2011 and revised in May 2011, prepared by David Evans and Associates. Hereafter referred to as the "Original Traffic Study". The Original Traffic Study was performed for the entire Parker Homestead development, which included 370 residential units and a small land area of 10 acres for retail uses.

This UBSR proposal is consistent with the 10 acres for retail uses in the Original Traffic Study for the following reasons:

1) **Same Retail Land Uses**: This UBSR proposal contains retail uses which are consistent with the 10 acres of retail uses envisioned by the Original Traffic Study (Figure 3 on page 14 of the 102-page study). This UBSR proposal is for the following retail uses: convenience store with fuel pumps, car wash, and liquor store - located on about 1.3 acres.

2) **Same Retail Location**: This UBSR proposal of about 1.3 acres of retail uses are a part of the 10 acres shown in the Original Traffic Study. Also, this UBSR proposed 1.3 acres is in the same location as in the Original Traffic Study (Figure 3 on page 14 of the 102-page Study). The location for this UBSR proposed 1.3 acres is shown on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021.

3) **Consistent Traffic Volumes:** This UBSR proposal is estimated to project traffic volumes to/from this commercial site that are about the same as those in the Original Traffic Study.

In 2018 an updated traffic analysis was performed for these 10 acres of retail uses. The updated study is titled "Parker Homestead Commercial Traffic Analysis" dated Oct 2018 (hereafter referred to as "2018 Traffic Update") prepared by David Evans and Associates - the same company who prepared the Original Traffic Study in 2011.

The Original Traffic Study assumed 10 acres of general retail for this site. However, the 2018 Traffic Update assumed a more specific mix of retail uses for this site in its statement below, which appears on page 3 of the 20-page update:

"The commercial development is expected to include a gun range, a convenience store with gas, and two buildings of neighborhood retail."

Table 1 below compares the Daily Traffic Volumes during Peak Hours between these two traffic studies. In summary, the Total (In/Out) AM Peak Daily Traffic volume at this 10-acre site is about the same in both studies: 197 trips in the Original compared to 187 trips in the Update. However, the 2018 Study Update projects substantially less traffic (217 fewer peak trips daily) in the Total (In/Out) PM Peak Daily traffic volume: 527 trips in the Original compared to 316 trips in the Update.

Table 1: Compare Peak Traffic in Both Studies from this 10-Acre Commercial Site

ITEM	2011 Original Traffic Study*	2018 Traffic Update**	Difference
1. AM PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	**191**	**187**	**About the same**
2. PM PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	**527**	**316**	**217 fewer peak daily trips in the 2018 Traffic Update**

* 2011 Original Traffic Study: Listed in Table 1 on page 15 of the 102-page study, prepared by David Evans and Associates.

** 2018 Traffic Update: Listed in Table 2 on page 3 of the 20-page update, prepared by David Evans and Associates – the same company prepared the Original Traffic Study.

- **Site's Interior Road Design Reduces Traffic Impact on Chambers Rd & Double Angel Rd:** This 10-acre site has 3 access points. One on Chambers Rd and two more on Double Angel Rd. These three access points are connected by an internal road that allows customers to drive between these various retail shops on this internal road. This interior road should reduce the traffic impact along Chambers Rd and along Double Angel Rd.

Staff analysis and findings:

The applicant has provided a traffic analysis that shows consistency with the assumptions of the Master Traffic Analysis that was approved with the original zoning and platting entitlement process. The associated anticipated trips generated by the proposal are within the limits contemplated with the Master Traffic Analysis. An updated traffic study will be required to be submitted as part of the site plan for this property.

Therefore, staff has determined that this criterion can be satisfied.

7. Will not cause significant air, water, or noise pollution.

Applicant analysis and findings:
This UBSR proposal will be designed to meet the Town of Parker's design requirements, which address the concerns of air, water, nuisance lighting, and noise pollution. It is noteworthy that there is a significant distance from Chambers Rd to the nearest homes to the southwest which is over 640 feet – the equivalent of two football field lengths. This significant distance should serve as a buffer to those residences from noise emanating from the new Neighborhood Shopping Center.

The gasoline pumps have three (3) major safety features built into them, including:

1) Double-wall underground fuel tanks. This double wall tank design is made of state approved safety materials and is equipped with continuous leak-monitoring sensors. The sensors automatically detect any leakage in the empty space between the two tank walls and automatically sounds an audible alarm as well as an electronic alarm to the computer monitoring equipment in the convenience store. In addition, the gasoline pumps are professionally inspected annually and must pass the annual Colorado state safety mandated inspection requirements.

2) Break-away fuel hoses. In the event a driver inadvertantly drives away with the fuel hose still attached to his/her car, the fuel hose is designed to automatically disconnect from the fuel pump. In such event, the gasoline pump automatically shuts off the flow of gasoline to prevent a fuel spill after such hose disconnection.

3) Gasoline Vapors Capture System: Gasoline vapors are recovered in 2 ways. First, modern automobiles have built-in "Onboard Refueling Vapor Recovery" (ORVR), which is an emissions control system that captures fuel vapors from the gas tank during refueling and operation. ORVR systems have helped reduce refueling emissions from escaping the tank and have proven to be highly effective. Second, the tanker truck that delivers the fuel to the underground tanks at a gas station are required by the State to have two hoses. One to deliver the fuel to the tanks. The second to recover the vapors from the underground tank as the liquid gasoline displaces the vapors. The vapors are then captured by the tanker truck. The law also requires this special equipment on the tanker truck to be inspected annually to verify it is operating safely.

Source: Colorado Air Pollution Control Division.

Staff analysis and findings:
The applicant will be required to meet all state and federal requirements for the installation of the underground gas tanks along with annual monitoring of the ground water and soils. The Town will review and require the applicant to install all necessary improvements to the site to limit any contamination directly to Newlin Gulch.

Therefore, staff has determined that this criterion can be satisfied.

8. Will be adequately landscaped, buffered and screened.

Applicant analysis and findings:
This UBSR proposal will be designed by professional architects to meet the Town of Parker's requirements. All HVAC equipment will be screened to meet Town of Parker's requirements. The landscaping will be designed by a professional landscape architect to meet the Town of Parker's landscape design requirements. An emphasis will be placed on selecting plant materials that minimize water consumption and to the degree acceptable to the Town of Parker.

The gasoline pumps and canopy ae located along Chambers Rd and will have a 75-foot buffer between the gasoline pumps and Chambers Rd. No building structures will be built in this buffer.

Staff analysis and findings:
A detailed site plan has not been submitted for the application in order to evaluate the development requirements for the subject property. However, the applicant has indicated an ability to meet the necessary development requirements should the requested Use by Special Review be approved. Additionally, staff is recommending a condition of approval for the applicant to provide additional buffering along the west and south property lines to help screen the use from the existing residential properties. The final buffering will be determined at the time of the site plan application.

Therefore, staff has determined that this criterion can be satisfied.

9. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.

Applicant analysis and findings:
This UBSR proposal will use professional architects, and site planner who are conversant with the Town of Parker's requirements to be sensitive to the health, safety, or welfare of the present or future inhabitants of the Town of Parker.

In addition, as discussed in "Criteria 7" above the gasoline pumps are specifically designed and annually inspected as mandated by the State of Colorado to provide for the health, safety, and welfare of the public.

Staff analysis and findings:

The request will not be detrimental to the health, safety or welfare of current or future Parker residents. The subject property is zoned for commercial uses and will be developed with commercial uses. The proposed gas station will be required to meet all Town, State and Federal regulations and guidelines. In addition, the applicant will be required to meet all requirements for site layout, landscaping, parking, lighting, drainage and circulation of the Town Land Development Ordinance.

Therefore, staff has determined that this criterion can be satisfied.

VII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments - UbSR
Parker Comprehensive Planning	The property falls within the Neighborhood Center Character Area. A gas stations are not uncommon and shall be subject to mitigation of lighting, traffic, noise and smells
Parker Public Works/ Engineering	Daily trips proposed by the gas station are in line with the original traffic study. A full traffic study will be reviewed as part of the Site Plan.
Parker Building	Approved
Fire Life Safety	Approved
Douglas County School District	No Comment
Newlin Meadows HOA	No Comment
Parker Homestead HOA	No Comment
Parker Water and Sanitation District	Approved for zoning only
IREA	Approved
PSCO/Xcel	Public Service Company has existing electric transmission lines and associated land rights as shown within this property. Any activity will require Public Service Company approval.
CenturyLink	No Comment
Comcast	No Comment

VIII. CONCLUSION

The proposed gas station will bring an added service to this area of Parker. The impacts created by the proposed gas station can be mitigated by enhanced landscaping and or buffering the proposed use along the western and southern property lines to help screen the proposal from the existing residential uses. All local, State and Federal requirements for gas stations will be satisfied. After evaluating the information provided by the applicant for a Use by Special Review staff has determined that the requested use meets the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VII of this staff report.

IX. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Parker Homestead Filing No. 1, 1st Amendment Tract A Use by Special Review to allow a convenience store with gasoline pumps, subject to the conditions below:

1. That the Use by Special Review materials submitted to the Community Development Department on March 15, 2021 shall be the approved Use by Special Review materials.

2. The applicant shall work with Town staff during the site plan application review process to ensure that buffering along the south and west property lines, above the minimum requirements, within the Town of Parker Land Development Ordinance shall be provided.

3. The Replat to create Lot 1 shall be recorded prior to approval of a Site Plan approval.

4. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

X. ATTACHMENTS

1. Use by Special Review Narrative
2. Use by Special Review Exhibit
3. Referral Comments

Report Approved By: Bryce Matthews, Planning Manager

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
Mohan Muthu, Manager (303) 949-4831
mohanmuthu@yahoo.com
17050 Mainstreet, Parker, CO 80134

August 25, 2020

Use By Special Review Application

The proposed businesses of the convenience store with gas, car wash, and liquor store are permitted uses by the "Parker Homestead - Development Guide (1st Amendment)" recorded in Douglas County on Sep 9, 2011 (Development Guide) for this site. These business uses are permitted in "Sec. 1-30 Uses Permitted" of the Development Guide. The gasoline pumps are permitted as they are a part of the proposed convenience store. The gasoline pumps are specifically permitted in the Development Guide's "Sec. 1-40 Uses Permitted By Special Review". The gasoline pumps require a Use By Special Review ("UBSR") approval, which is the subject of this UBSR application.

Town of Parker: Uses Permitted by Special Review Criteria

Below are listed the Town of Parker's nine (9) criteria as listed in section 13.04.200 – Uses permitted by special review for approval:

"(b) Criteria for approval. The Town Council may approve a use by special review subject to reasonable conditions which include, but are not limited to, the requirements that the proposed use:

(1) Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
(2) Will be consistent with the Town Master Plan;
(3) Will not result in an over-intensive use of land;
(4) Will not have a material adverse effect on community capital improvement programs;
(5) Will not require a level of community facilities and services greater than that which is available;
(6) Will not result in undue traffic congestion or traffic hazards;
(7) Will not cause significant air, water or noise pollution;
(8) Will be adequately landscaped, buffered and screened; and
(9) Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town."

Responses to these UBSR Criteria:

Below are responses to the Town of Parker's nine (9) UBSR "Criteria" as they apply to the proposed gasoline pumps which are a part of the proposed convenience store:

Criteria 1: Will be in harmony and compatible with the character of the surrounding areas and neighborhood

1) The UBSR proposed development will match all of Town of Parker's requirements on Architecture, Site Planning, Landscaping, and other characteristics required by the Town of Parker for this development to be in harmony with and compatible with the character of the surrounding areas and neighborhood.

Use By Special Review Application

2) UBSR Site Location:
This UBSR site of about 1.3 acres of retail uses is located on and a part of the 10 acres designated for retail uses in the Parker Homestead Development Guide. Specifically, this proposed 1.3 acres is located at the north end of this site, next to Chambers Rd and north of Double Angel Rd. The location for this UBSR proposed 1.3 acres is shown on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021.

3) Closer Convenience Shopping Alternatives:
The surrounding neighborhood of newer homes has now matured sufficiently to support closer convenience shopping alternatives than are currently available to these neighbors. The proposed gasoline pumps as part of the convenience store, and car wash will bring these everyday consumer items closer to serve the needs of the surrounding homes, the church, and those attending the ball fields activities along Double Angel Rd. As examples, the closest existing shopping conveniences for these neighbors are:

- 4.6 miles round trip to obtain milk, bread, and other essential food and consumer items;
- 4.6 miles round trip to the closest gas station;
- 7.0 miles round trip to the closest car wash;

Source: Google Maps

Detailed information on these and other shopping conveniences are listed in the attached "Exhibit C - Distances to Closest Shopping Conveniences" located at the end of this application.

4) Proposed Gasoline Pumps with Convenience Store:
Mitrah proposes to build, own, and operate the below listed convenience stores. Their permitted use status is also listed next to each use:

- 2,500 +/- SF Convenience Store. This use is permitted by the Development Guide.
- Gasoline Pumps are permitted as a part of the proposed Convenience Store per the Development Guide. In addition, the gasoline pumps require a UBSR (Use By Special Review) approval which is the subject of this application.
- 860 +/- SF Single Bay Car Wash with automatic closing doors on front and back. The car wash is permitted as an "accessory building" to the Convenience Store per the Development Guide.
- 2,500 +/- SF Package Liquor Store. This use is permitted by the Development Guide.

Criteria 2: Will be consistent with the Town Master Plan

1) These proposed business uses are consistent with Parker's "2035 Master Plan" updated December 3, 2018, which designates this commercial site as a "Neighborhood Commercial Center". This site is shown in the Master Plan in Figure "6B: GENERAL LAND USE PLAN" on page 49.

2) The gasoline pumps are a part of the proposed convenience store, which meets the stated objectives of the Town of Parker's Master Plan for a "Neighborhood Commercial Center", which states the following and applies to these proposed businesses:

Town of Parker's Master Plan page 59 states:

A Neighborhood Commercial Center "…should be planned to serve the basic needs of the surrounding residents. Typical uses … include convenient retail and personal/business services, generally anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted."

Criteria 3: Will not result in an over-intensive use of land

This UBSR proposal will not result in an over-intensive use of land as this UBSR proposal uses about 1.3 acres broken down into about 10% of Building footprint, about 60% of Driveways and Parking, and about 30% of Landscaping and walks. Below is the breakdown:

- Building Land Area: 5,864 SF; 10.2 % of Total
- Drive Aisles and Parking: 34,350 SF; 59.9 %
- Landscape and walks: 17,177 SF; 29.9%

Total: 57,391 SF; 100% (1.3 Acres)

The above figures are located on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021, which is submitted as a separate exhibit to this UBSR application.

In addition, the following considerations are planned in this UBSR development:

1) Parking: The proposed gasoline pumps as part of the proposed convenience store will have sufficient onsite parking to meet the Town of Parker's requirements.

2) Landscaping: The gasoline pumps as a part of the convenience store will be built with a 75-foot buffer separating it from the adjacent Chambers Rd. This buffer along with the balance of this site will be designed by a professional landscaping contractor to meet the Town of Parker's landscape design requirements. An emphasis for low-water-use plants will be used as much as possible and that the Town of Parker approves.

3) Lighting: The gasoline pumps as a part of the convenience store will have directional lighting fixtures that are shading equipped to focus lighting downward on the site to minimize "nuisance lighting" from the site, and that meet Parker's lighting requirements.

4) Traffic Flow: The gasoline pumps as a part of the convenience store will be served by an interior road to allow internal auto traffic circulation between stores and to minimize the traffic impact to Chambers Rd and Double Angel Rd. Also, the gasoline pumps are located deliberately far enough away from the Chambers Rd entrance to generate easy in-and-out traffic flow at the Chambers entrance.

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

Criteria 4: Will not have a material adverse effect on community capital improvement programs

This UBSR proposed development will not impact capital improvement programs.

Criteria 5: Will not require a level of community facilities and services greater than that which is available

The site will require a curb cut on Chambers Road and another on Double Angel Rd. These curb cuts will be installed and paid for by the master developer. The new Neighborhood Shopping Center will be built with commercial quality materials that do not require any unusual fire or police protection. Landscaping will be installed to beautify this location while placing an emphasis on water conservation by selecting low water consuming plant materials wherever possible and as allowed.

Utilities and Town of Parker Services: The gasoline pumps as a part of the convenience store will be built to meet the Town of Parker's and utilities companies' design requirements and materials selections to efficiently use the public services (water, sewer, electric, gas, fire department, and police services).

Criteria 6: Will not result in undue traffic congestion or traffic hazards

This UBSR proposal will not result in undue traffic congestion or traffic hazards.

In 2011 a master traffic study was performed for the entire Parker Homestead Community. The title of this master traffic study is:

> "Parker Homestead Traffic Impact Analysis" dated February 2011 and revised in May 2011, prepared by David Evans and Associates. Hereafter referred to as the "Original Traffic Study". The Original Traffic Study was performed for the entire Parker Homestead development, which included 370 residential units and a small land area of 10 acres for retail uses.

This UBSR proposal is consistent with the 10 acres for retail uses in the Original Traffic Study for the following reasons:

1) **Same Retail Land Uses**: This UBSR proposal contains retail uses which are consistent with the 10 acres of retail uses envisioned by the Original Traffic Study (Figure 3 on page 14 of the 102-page study). This UBSR proposal is for the following retail uses: convenience store with fuel pumps, car wash, and liquor store - located on about 1.3 acres.
2) **Same Retail Location**: This UBSR proposal of about 1.3 acres of retail uses are a part of the 10 acres shown in the Original Traffic Study. Also, this UBSR proposed 1.3 acres is in the same location as in the Original Traffic Study (Figure 3 on page 14 of the 102-page Study). The location for this UBSR proposed 1.3 acres is shown on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021.

3) Consistent Traffic Volumes: This UBSR proposal is estimated to project traffic volumes to/from this commercial site that are about the same as those in the Original Traffic Study.

In 2018 an updated traffic analysis was performed for these 10 acres of retail uses. The updated study is titled "Parker Homestead Commercial Traffic Analysis" dated Oct 2018 (hereafter referred to as "2018 Traffic Update") prepared by David Evans and Associates - the same company who prepared the Original Traffic Study in 2011.

The Original Traffic Study assumed 10 acres of general retail for this site. However, the 2018 Traffic Update assumed a more specific mix of retail uses for this site in its statement below, which appears on page 3 of the 20-page update:

"The commercial development is expected to include a gun range, a convenience store with gas, and two buildings of neighborhood retail."

Table 1 below compares the Daily Traffic Volumes during Peak Hours between these two traffic studies. In summary, the Total (In/Out) AM Peak Daily Traffic volume at this 10-acre site is about the same in both studies: 197 trips in the Original compared to 187 trips in the Update. However, the 2018 Study Update projects substantially less traffic (217 fewer peak trips daily) in the Total (In/Out) PM Peak Daily traffic volume: 527 trips in the Original compared to 316 trips in the Update.

Table 1: Compare Peak Traffic in Both Studies from this 10-Acre Commercial Site

ITEM	2011 Original Traffic Study*	2018 Traffic Update**	Difference
1. AM PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	**191**	**187**	**About the same**
2. PM PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	**527**	**316**	**217 fewer peak daily trips in the 2018 Traffic Update**

* 2011 Original Traffic Study: Listed in Table 1 on page 15 of the 102-page study, prepared by David Evans and Associates.

** 2018 Traffic Update: Listed in Table 2 on page 3 of the 20-page update, prepared by David Evans and Associates – the same company prepared the Original Traffic Study.

- **Site's Interior Road Design Reduces Traffic Impact on Chambers Rd & Double Angel Rd:** This 10-acre site has 3 access points. One on Chambers Rd and two more on Double Angel Rd.

These three access points are connected by an internal road that allows customers to drive between these various retail shops on this internal road. This interior road should reduce the traffic impact along Chambers Rd and along Double Angel Rd.

Criteria 7: Will not cause significant air, water, or noise pollution

This UBSR proposal will be designed to meet the Town of Parker's design requirements, which address the concerns of air, water, nuisance lighting, and noise pollution. It is noteworthy that there is a significant distance from Chambers Rd to the nearest homes to the southwest which is over 640 feet – the equivalent of two football field lengths. This significant distance should serve as a buffer to those residences from noise emanating from the new Neighborhood Shopping Center.

The gasoline pumps have three (3) major safety features built into them, including:

1) Double-wall underground fuel tanks. This double wall tank design is made of state approved safety materials and is equipped with continuous leak-monitoring sensors. The sensors automatically detect any leakage in the empty space between the two tank walls and automatically sounds an audible alarm as well as an electronic alarm to the computer monitoring equipment in the convenience store. In addition, the gasoline pumps are professionally inspected annually and must pass the annual Colorado state safety mandated inspection requirements.

2) Break-away fuel hoses. In the event a driver inadvertantly drives away with the fuel hose still attached to his/her car, the fuel hose is designed to automatically disconnect from the fuel pump. In such event, the gasoline pump automatically shuts off the flow of gasoline to prevent a fuel spill after such hose disconnection.

3) Gasoline Vapors Capture System: Gasoline vapors are recovered in 2 ways. First, modern automobiles have built-in "Onboard Refueling Vapor Recovery" (ORVR), which is an emissions control system that captures fuel vapors from the gas tank during refueling and operation. ORVR systems have helped reduce refueling emissions from escaping the tank and have proven to be highly effective. Second, the tanker truck that delivers the fuel to the underground tanks at a gas station are required by the State to have two hoses. One to deliver the fuel to the tanks. The second to recover the vapors from the underground tank as the liquid gasoline displaces the vapors. The vapors are then captured by the tanker truck. The law also requires this special equipment on the tanker truck to be inspected annually to verify it is operating safely.

Source: Colorado Air Pollution Control Division.

Criteria 8: Will be adequately landscaped, buffered and screened

This UBSR proposal will be designed by professional architects to meet the Town of Parker's requirements. All HVAC equipment will be screened to meet Town of Parker's requirements. The landscaping will be designed by a professional landscape architect to meet the Town of Parker's landscape design requirements.

An emphasis will be placed on selecting plant materials that minimize water consumption and to the degree acceptable to the Town of Parker.

The gasoline pumps and canopy ae located along Chambers Rd and will have a 75-foot buffer between the gasoline pumps and Chambers Rd. No building structures will be built in this buffer.

Criteria 9: Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town

This UBSR proposal will use professional architects, and site planner who are conversant with the Town of Parker's requirements to be sensitive to the health, safety, or welfare of the present or future inhabitants of the Town of Parker.

In addition, as discussed in "Criteria 7" above the gasoline pumps are specifically designed and annually inspected as mandated by the State of Colorado to provide for the health, safety, and welfare of the public.

Exhibit C - Distances to Closest Shopping Conveniences

Below is a list of the closest shopping conveniences currently available to the neighbors. The posted distances are the round-trip driving miles to each convenience shop's location from the proposed Neighborhood Shopping Center location at Chambers Rd and Double Angel Rd, Parker.

- **Nearest food or convenience store is 4.6 miles round-trip**
  - Closest: 4.6 miles round trip. TSquare Convenience Store, 17050 Mainstreet, Parker. Owned and Operated by Mitrah.
  - 2nd Closest: 7.0 miles round trip. 7-Eleven Convenience Store, 12285 S Parker Rd, Parker

- **Nearest gas station is 4.6 miles round-trip**
  - Closest: 4.6 miles round trip. Phillips 66 Gas Station, 17050 Mainstreet, Parker. Owned and Operated by Mitrah.
  - 2nd Closest: 7.0 miles round trip. Conoco Gas Station, 12285 S Parker Rd, Parker

- **Nearest car wash facility is 7.0 miles round-trip**
  - Closest: 7.0 miles round trip. Car Wash USA Express, 16941 Lincoln Ave, Parker
  - 2nd Closest: 7.2 miles round trip. Lucky Dog Car and Pet Wash, 10003 Jordan Rd, Parker

- **Nearest liquor store is 4.6 miles round-trip**
  - Closest: 4.6 miles round trip. Wild Yankee Liquors, 17002 Mainstreet, Parker
  - 2nd Closest: 6.6 miles round trip. Keystone Liquors, 16522 Keystone Blvd D, Parker

- **Nearest pizza shop is 4.2 miles round-trip**
  - Closest: 4.2 miles round trip. Little Caesars Pizza, 17002 Mainstreet, Parker
    2nd Closest: 6.6 miles round trip. Lil' Ricci's Pizza, 16526 Keystone Blvd, Parker

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

- **Nearest fast food is 6.4 miles round-trip**
  - Closest: 6.4 miles round trip. Culver's, 18561 Mainstreet, Parker
  - 2nd Closest: 6.6 miles round trip. Sonic Drive-in, 16538 Keystone Blvd Lot 2b, Parker

- **Nearest bank is 6.8 miles round-trip**
  - Closest: 6.8 miles round trip. First Bank, 16530 Keystone Blvd, Parker
  - 2nd Closest: 7.0 miles round trip. Community Banks of Colorado, 18601 Mainstreet, Parker

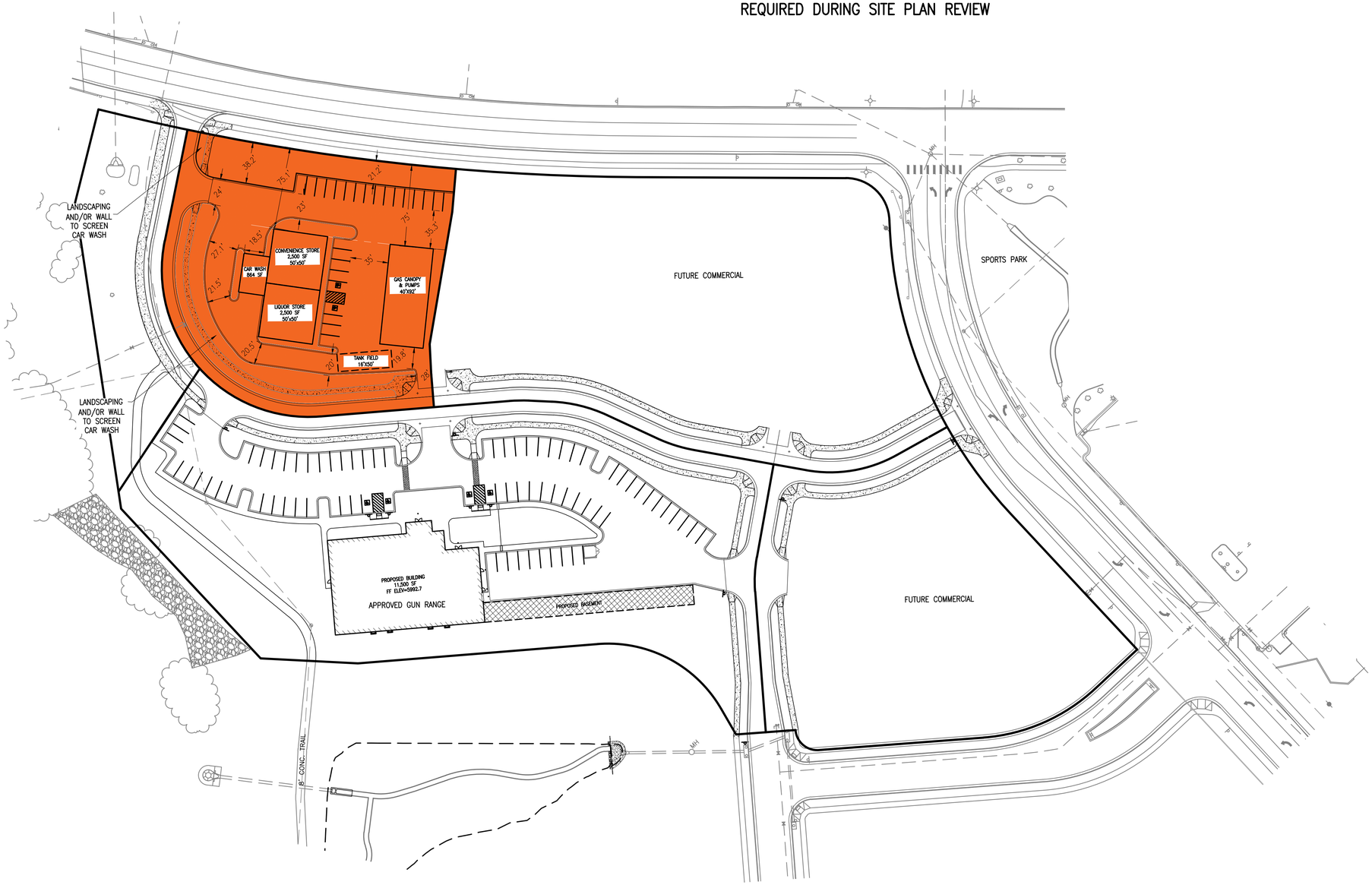
- **Nearest coffee shop is 7.0 miles round-trip**
  - Closest: 7.0 miles round trip. Starbucks, 17051 Lincoln Ave, Parker
  - 2nd Closest: 7.0 miles round trip. Starbucks, 11150 S Twenty Mile Rd, Parker

End of application

CONCEPTUAL SITE PLAN – LOT 1

CHANGES AND MODIFICATIONS MAY BE
REQUIRED DURING SITE PLAN REVIEW

GRAPHIC SCALE
0 25 50 100 150
1 INCH = 50 FEET



LOT 1 LAND USE

DESCRIPTION	AREA
BUILDING	5,864 SF
DRIVE AISLES AND PARKING	34,350 SF
LANDSCAPE AND WALK	17,177 SF
TOTAL	57,391 SF

EMK CONSULTANTS, INC.
LAND DEVELOPMENT
ENGINEERING SURVEYING
7006 SOUTH ALTON WAY, BLDG. F
CENTENNIAL, COLORADO 80112-2019
(303)694-1520
www.EMKCO.com

SCALE VERIFICATION BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

Know what's below. Call before you dig. 811

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REVISIONS

NO.	DESCRIPTION	DATE	BY

DESIGNED BY: JJW
DRAWN BY: BEU
CHECKED BY: ERM
APPROVED BY: ERM

PARKER HOMESTEAD FILING NO 1
1ST AMENDMENT–TRACT A

SITE PLAN

DATE: JAN 18, 2021
JOB NO: 13200.00
SCALE
HORIZONTAL 1"=50' VERTICAL N/A

1 of 1

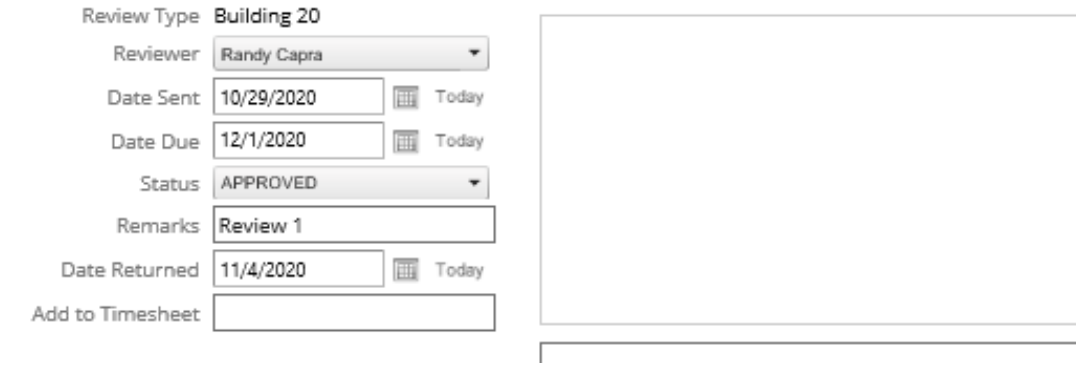
J:\13200 Parker Homestead 1 Lots 1 2 3\SUBSR Site Plan.dwg, 1/18/2021 2:57:01 PM, 1:1

REFERRAL COMMENTS –

Use by Special Review

TOWN OF PARKER BUILDING

Z20-012



CENTURYLINK COMMUNICATION

No comments submitted

COMCAST

No comments submitted

TOWN OF PARKER COMPREHENSIVE PLANNING

Comprehensive Planning 20

Parker 2035 Master Plan denotes this area as a Neighborhood Center. A Neighborhood Center is described as providing commercial services for the surrounding neighborhoods. Gas Stations are not uncommon in Neighborhood Centers subject to mitigation of lighting, traffic, noise and smell impacts on potential surrounding residents. A gas station at this location, with separate commercial access and located away from residential homes as proposed should be able to mitigate these impacts through proper site design and complying with the Town's Land Development Ordinance and Development Design Standards.

12/2/2020 12:44:40 PM

DOUGLAS COUNTY SCHOLL DISTRICT

No comments submitted

FIRE LIFE SAFETY

Z20-012

Review Type	FIRE LIFE SAFETY 20
Reviewer	Randy Capra
Date Sent	10/29/2020 Today
Date Due	12/1/2020 Today
Status	APPROVED
Remarks	Review 1
Date Returned	11/4/2020 Today
Add to Timesheet	

IREA

Z20-012

Review Type	IREA 20
Reviewer	Brooks Kaufman
Date Sent	10/29/2020 Today
Date Due	12/1/2020 Today
Status	APPROVED
Remarks	Review 1
Date Returned	11/17/2020 Today
Add to Timesheet	

NEWLIN MEADOWS HOA

No comments submitted

PARKER HOMESTEAD HOA

No comments submitted

PARKER WATER AND SANITATION DISTRICT

Parker Water and Sanitation District 20
Approved for zoning only.
11/4/2020 7:14:35 AM

PUBLIC SERVICE COMPANY OF COLORADO

See attached letter

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

December 2, 2020

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Stacey Nerger

Re: Parker Homestead F1 A1 Tract A – Gas Station Use By Special Review
Case # Z20-012

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined **there is a potential conflict** with the above captioned project. Public Service Company has existing electric transmission lines and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement (via website www.xcelenergy.com/rightofway or email coloradorightofway@xcelenergy.com).

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the subject property. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 to have all utilities located prior to any construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

TOWN OF PARKER ENGINEERING

Alex Mestdagh

USE BY SPECIAL REVIEW - PW

Daily trips proposed by the proposed use are in line with original assumptions for the commercial development. A full traffic study analyzing any impacts will be reviewed with the Site Plan application.

12/28/2020 11:12:38 AM

Planning Commission Staff Report

Planning Commission Date:	**4/8/2021**
Town Council Date:	**4/19/2021**
Hearing Type:	**Public Hearing** **Z20-020 Rezone PD to C-Commercial**
Location:	**Southeast corner of Parker Road and Parkglenn Way**
Project Planner:	**Krista Flynt, Planner 1**
Applicant:	**Masterworks, LLC and Wash 'N Go Colorado, LLC**
Executive Summary:	**The applicant, Masterworks, LLC, is applying for Lot 1 Block 2 of the Parkglenn Filing 3 to be removed from the Parkglenn PD and rezoned to C-Commercial zoning.**
Staff Recommendation:	**Approval**

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD."
AND
"I move the Planning Commission recommend Town Council approve an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD,
with the following conditions:"
List proposed conditions
AND
"I move the Planning Commission recommend Town Council approve an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial with the following conditions:"
List proposed conditions

"I move that the Planning Commission recommend that Town Council deny an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD as the request does not meet the following approval criteria:"
-List criteria not met (either by staff or Planning Commission)
AND

"I move that the Planning Commission recommend that Town Council deny an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial as the request does not meet the following approval criteria:"
-List criteria not met (either by staff or Planning Commission)

"I move that the Planning Commission vote to continue the removal of Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD to a future date."
AND
"I move that the Planning Commission vote to continue the rezone of Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial to a future date."

I. BACKGROUND/DISCUSSION

The property is currently developed with a convenience store, gas station and accessory car wash. The applicant is proposing to demolish the convenience store and gas station while retaining the car wash. Car washes are not a use by right in the current zoning and are only allowed as accessory to gas stations. In order to have a car wash as a primary use, a rezoning is required. Car washes are a use by right in the C-Commercial district.

The applicant also has a site plan application that is being reviewed by the Town concurrently with this rezoning request. The Site Plan is proposing to replace the gas station with a new construction coffee shop. The existing car wash would remain on site.

Vicinity Map

II. PRIOR ACTIONS

Date	Action
1984	Town Council approved the annexation and zoning to PD
1987	Parkglenn Filing 3 is platted
1991	Town Council approves the rezoning of the site to PD Commercial within the Parkglenn Planned Development Guide
1996	The site plan for the gas station and car wash currently on site is approved.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development
Overlay District	N/A
PD & Plan Area	Parkglenn Planned Development
Master Plan Area	Central Commercial
Site Acreage	.972 acres (42,322 SF)
Subdivision	N/A
Existing Use	Commercial

Surrounding Uses

	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial	PD - Planned Development	Multitenant commercial
South	Central Commercial	PD - Planned Development	Tire Service and Auto Repair
East	Central Commercial	PD - Planned Development	Transmission & Auto Repair and Medical Offices
West	Central Commercial	C - Commercial District	Parker Road then Banks and Office Uses

IV. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY	
Master Plan Designation	Central Commercial ☒ **Consistent** ☐ **Inconsistent**
Master Plan Character Discussion	This is the commercial core of the Town. Growth should focus on core retail, services, offices, lodging, restaurants, entertainment, and to a lesser extent, higher density residential uses. Vertical mixed use is highly encouraged where appropriate.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C Land Use 1.H Community Appearance and Design 1.A Jobs and Economic Vitality 2
Staff Analysis	Staff has reviewed the requested Commercial zoning and change of use against the Town's Master Plan and determined that the proposal is consistent with the Master Plan Character Area designation for the property.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezonings)			
Provisions	**As recommended by the Master Plan**	**Proposed**	**Analysis**
Units Per Acre	High density residential as part of a mixed-use development is appropriate.	N/A. No residential development is proposed.	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Core retail, services, offices, lodging, restaurants, and entertainment. Vertical mixed use.	An existing car wash would remain on site, a coffee shop would be constructed.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	No height/story recommendations in the Master Plan.	Maximum building height permitted is 35-feet per the "C-Commercial District".	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	The proposed rezoning to C-Commercial will remove the property from an outdated PD and align it with the Town's vision for commercial development within the Central Commercial Character Area.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The vehicular access to the property will not be altered with this proposed rezoning and the site plan application that accompanies it. The existing vehicular access is off a private drive that connects to Parkglenn Way. With the proposed redevelopment site plan, a sidewalk will be added along Parker Road. Pedestrian circulation from the intersection of Parker Road and Parkglenn Way up and throughout the site will be improved.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. **A need exists for the proposal.**
   Applicant's Response
   The existing car wash land use does not currently adhere to the Parkglenn Subdivision Filing Number 3, Development Guide and Map as a "Uses Permitted by Right". Approval documentation of a "Special Use Permit" is not available in the Town of Parker's planning records. Therefore, to legally document the car wash business as an allowed land use, a rezoning request to C-Commercial is needed to correct the parcel's zoning overlay regulations.

   Staff Analysis

The proposed rezoning is needed to replace the outdated PD with the Town's current C-Commercial zoning which better aligns with the Parker 2035 Master Plan.

Rezoning the property allows the existing car wash to remain with the demolition of the existing gas station – the car wash is not a use by right in the Parkglenn PD.

Based on this analysis, staff has determined that the request meets this criterion.

2. **The particular parcel of ground is indeed the correct site for the proposed development.**

Applicant's Response

The exiting service-oriented development has been in continuous operation for 24 years and has provided much needed automotive and neighborhood services to the Town of Parker's citizens. The proposed zoning revision is consistent with the existing commercial service-related operations and complies with the C-Commercial Zone District objectives and goals.

Based upon the surrounding automotive-oriented commercial businesses adjoining the subject development parcel, the existing car wash land use and proposed C-Commercial zoning classification is consistent with the original intent of the Parkglenn Development Guide and Map and shall not introduce a change in character to Parkglenn Subdivision as it currently exists. Furthermore, there are surrounding nearby food and beverage operations, classified as C-Commercial, consistent with the Town's Commercial Corridor vision.

Staff Analysis

The subject property is completely surrounded by commercial development – some of which is zoned PD and some of which is zoned C – Commercial. The Master Plan designates the area as Central Commercial, which recommends retail, service, and restaurant type uses. As well, the subject property's location along Parker Road, a State highway, is compatible and desirable for commercial uses. The subject property is suitable for C- Commercial designation and would be well situated to support its neighboring commercial uses and fill in the commercial corridor of Parker Road.

Based on this analysis, staff has determined that the request meets this criterion.

3. **There has been an error in the original zoning; or**

Applicant's Response

The request for a zone modification from Planned Development to C-Commercial is necessitated by either an entitlement inconsistency and or an error in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995. Because the car wash has been in continuous operation since 1997, a rezone change to C-Commercial will legally correct the parcel's zoning classification as deemed necessary to document the historical land uses.

Parker's C-Commercial zoning classification complies with the original intent of the Planned Development envisioned zoning overlay and therefore, the zone change

request to C-Commercial does not reflect a significant land use change from the original development intent. The proposed zone modification specifically adheres to the Town of Parker 2035 Municipal Code and satisfies the "Central Commercial Character Area" framework policies.

Staff Analysis
An error has not occurred within the original zoning.

4. **There have been significant changes in the area to warrant a zone change.**
Applicant's Response
There have been no significant changes to the land uses types within the Parkglenn Subdivision. However, the desire by consumers to visit modern facilities with more comprehensive services has rendered the current uses significantly less viable commercially, requiring extensive upgrades to facilities and services. Additionally, newer, more modern fuel centers, C-stores, and car washes have been or are envisioned to be developed within the Central Commercial Corridor.

Staff Analysis
Since the original zoning approval in 1984, there has been significant growth and change in the area, in particular increased traffic volumes on Parker Road. These significant changes in the community and character of Parker Road have made many of the uses in the Parkglenn PD outdated. The proposed rezoning will align the existing and proposed uses on the property with the Town's vision for commercial properties.

Based on this analysis, staff has determined that the request meets this criterion.

5. **Adequate circulation exists and traffic movement would not be impeded by development; and**
Applicant's Response
As identified in the Traffic Letter prepared by SM Rocha, the proposed development will not create any negative impacts to the existing traffic patterns and is anticipated to improve circulation on the development site.

Staff Analysis
This site and surrounding area where designed to accommodate commercial development. The existing infrastructure and circulation currently adequately served the commercial uses on the site. The internal site circulation of the new coffee shop will be reviewed for compliance as part of the site plan amendment application. No alterations to vehicular access to the site will be necessary.

Based on this analysis, staff has determined that the request meets this criterion.

6. **Additional municipal service costs will not be incurred which the Town is not prepared to meet**.
Applicant's Response

No additional municipal services are requested over and above the current service standards, and therefore no addition cost shall be incurred to the Town of Parker.

Staff Analysis
The proposed rezoning would not require any additional municipal services which are not currently provided by the Town to the property.

Based on this analysis, staff has determined that the request meets this criterion.

7. **There are minimal environmental impacts or impacts can be mitigated.**
Applicant's Response
The proposed land uses shall reduce and or eliminate the existing environmental impacts associated with the existing Conoco Fuel Center. The existing car wash will be upgraded to include new energy saving and environmentally friendly wash equipment and therefore improving the environment impacts to the community.

Staff Analysis
As an existing commercial site in the center of town, the proposed rezoning will not create environmental impacts. The applicant will be required to meet all federal, state and local laws requiring the removal of the existing gas tanks located on the site and clean up any site contaminants as applicable.

Based on this analysis, staff has determined that the request meets this criterion.

8. **The proposal is consistent with the Town Master Plan, maps, goals, and policies.**
Applicant's Response
As identified in the Parker 2035 Master Plan and as shown on the General Land Use Plan map, the proposed Black Rock Coffee Bar and Wash 'N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications are consistent with the maps, goals, and policies as follows:
    - The subject development parcel is located within and adheres to the "Central Commercial Character Area Map" and addresses land use policies identified for the development of core retail and commercial service-related businesses adjacent to the Parker Road frontage.
    - The proposal includes a plan for beautification of Parker Road that includes safe pedestrian access along the CDOT controlled State Highway.
    - The redevelopment efforts incorporate improvements to an older commercial area as outlined in the Master Plan to make improvements to streetscapes corridors and building exterior frontages.
    - The proposed redevelopment is designed in a manner that adheres to the Town's Design Standards for commercial developments and addresses building massing, form, and design to create a series of unique places that contribute to the overall character of the Town of Parker as a distinctive community.
    - The development design concepts support quality appearance of the built environment as the structures age.

- Minimize negative visual impacts from parking areas adjacent to the Parker Road corridor.
- Attract and maintain a variety of employment opportunities for Parker residents.
- Encourage and support a high level of diverse, quality retail and community services, with an emphasis on local businesses that contribute to Parker's sales and property tax base so the needed infrastructure, physical amenities, service s and expansion of such services are provided.
- Sustain the long-term economic well being of the Town and its citizens through redevelopment and revitalization efforts.

Staff Analysis

The Town of Parker Master Plan identifies this property as a Central Commercial Character Area – which,

"Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in this Character Area should focus on core retail, services, offices, lodging, restaurants…."

A C – Commercial zoning designation aligns with the Master Plan's designation of the Central Commercial. By rezoning the property to C – Commercial from PD, the subject property will be able to fully and continually adhere to the goals of the Master Plan. The Town has the ability to update the definition of C – Commercial over time to guide commercial development, where the PD guide is fixed.

The proposed rezoning of the property to the modified C-Commercial Zone District is consistent with the Town's Master Plan, this alignment is further described in Section IV. above

Based on this analysis, staff has determined that the request meets this criterion.

9. **There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.**

Applicant's Response

Wash 'N Go of Colorado, LLC proposed redevelopment of the fuel and convenience store as a coffee shop with drive-thru will not require any additional levels of service with respect to the existing waste and sewage disposal, water, schools, parks and recreation, and other services. The existing car wash shall operate utilizing originally developed infrastructure and will likewise not require any additional service over and above the current business operation.

Staff Analysis

The proposed rezoning will not change the property's designation as commercial, the proposed rezoning will only change some of the permitted uses on the property. Existing development on the property is already served by water, waste and sewer services. All new development will be reviewed by the appropriate utility services to ensure adequate supply for the new use through the Site Plan Amendment process. The

proposed zoning will not increase the need for schools, parks, recreation, or other services.

Based on this analysis, staff has determined that the request meets this criterion.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	Approved
Fire Life Safety	Approved
Aztec Consultants	Approved
Parker Water and Sanitation District	Approved*: Please submit a PWSD utility plan with the site plan when ready.*
Public Service Company of Colorado	Advisory Comments *(see attachment for full comment letter)*
Parker Comprehensive Planning	Approved: *This property is located in the Central Commercial Character Area as described in the Parker 2035 Master Plan and the Master Plan General Land Use Plan. The Central Commercial Character Area recommends focusing on core retail, commercial services, lodging, restaurants and entertainment. The C-Commercial zoning aligns with the Parker 2035 Master Plan's Central Commercial Character Area.*
IREA	Advisory comments: *The existing monument and retaining wall are not permitted within the 10 foot utility easement.*
CenturyLink	No Comment
Comcast	No Comment

IX. CONCLUSION

The applicant submitted this rezoning request in order for the existing car wash to be allowed to continue as part of a redevelopment project. Rezoning the property from PD to C – Commercial has the added effect of satisfying several goals of the Parker 2035 Master Plan and the Community Development Department – one of which is reducing the use of PD zoning throughout the town.

Staff and the applicable referral agencies have reviewed the applicant's request to rezone the subject property. This review included staff's evaluation of the request against the Town's Master Plan and zoning criteria. After performing this analysis, staff has determined that the request meets the requirements of the Town to zone the property to C – Commercial. Based on this information staff is recommending approval of the rezoning request.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. Referral Agency Comments
2. Rezoning Map
3. Applicant's Project Narrative

Report Approved By: Bryce Matthews, Planning Manager

REQUEST TO REZONE FROM PLANNED DEVELOPMENT TO C-COMMERCIAL

For

BLACK ROCK COFFEE BAR
&
WASH 'N GO EXPRESS CAR WASH

10159 Parkglenn Way
Parker, Colorado

Applicant:

Wash 'N Go Colorado, LLC
3740 Dacoro Lane
Suite 200
Castle Rock, Colorado 80109

Prepared by:

Masterworks, LLC
360 East Happy Canyon Road
Castle Rock, CO 80108

February 26, 2021

PROPOSED DEVELOPMENT

Wash 'N Go of Colorado, LLC hereby requests a **zone modification from Planned Development to C-Commercial** for an existing commercial development located at 10159 Parkglenn Way in Parker, Colorado. The site is situated at the southeast corner of Parker Road and Parkglenn Way. The 0.9715-acres (42,322 square feet) parcel is legally described as Lot 1, Block 2, Parkglenn Subdivision Filing Number 3, situated in the Northwest ¼ Section of 15, Township 6 South, Range 66 West, Town of Parker, County of Douglas, State of Colorado.

The site is currently developed and includes an existing Conoco Fuel and Convenience Store in addition to an express tunnel car wash known as the Magic Rabbit Car Wash. The development is adjacent to the Good Year Tire Store to the south and Eagle Transmission & Auto Repair Center to the southeast.

Wash 'N Go of Colorado is under contract to purchase the existing businesses and make significant improvements to the older commercial business in accordance with the "goals and strategies" within the Town of Parker's 2035 Master Plan vision statement. It is the developer's intent to eliminate the no-longer commercially viable fuel and c-store and replaced with a drive-thru coffee bar, which will function as the primary retail land use. The existing car wash facility will remain as a secondary use, which will be modernized to include automatic wash and vacuum equipment. Both businesses will operate under a single ownership entity and utility services will be shared as appropriate.

A Site Plan Amendment has been submitted concurrently with this C-Commercial Rezoning Request and follows the requirements specified in Sections 13.06 and 13.04.120 of the Town's Zoning Land Development Ordinance in which both proposed uses are "Uses Permitted by Right". Special attention has been given to the commercial building massing, form, and design to create a unified architectural theme of both buildings that shall contribute to the overall character enhancement of the Parker Road corridor. The site plan has been designed to cohesively address the operational, vehicular, and pedestrian access needs of each land uses. Upgrades to the overall existing site improvements, including grading, drainage and landscaping, are further defined in the Site Plan Application documents.

Redevelopment of the two land uses shall be constructed in a single improvement phase concurrently. Parker Water and Sanitation District shall continue to service the proposed land uses and the existing water and sewer taps continue to be sufficient to service the development. No significant vehicular access changes are required and or included with the proposed Site Plan Amendment.

REZONING INTENT

This Commercial (C-1) Rezoning Request has been submitted concurrently with a Site Plan Application requesting the existing Planned Development zoning be amended to C-1 Commercial. The intent of this rezoning request is to correct an inconsistency in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995.

Under the associated Parkglenn Development Guide and Map, the "Uses Permitted by Right" included "Convenience Store with Gas Pumps". However, the "Car Wash" land use was not specifically listed as a use permitted by right and therefore would be categorized as a "Use Permitted by Special Review".

Research of the historical Town of Parker Site Plan records do not provide sufficient evidence that the "Starlight Car Wash Facility with Texaco Fueling Station & Convenience Store", which was approved in 1996 also include a request for a Special Use Permit. Construction of the fuel and convenience store, in addition to the car wash was completed in 1997 and have been in continual operation until the present date. With the exception to the development changing ownership in 2005 and the rebranding of the fuel component to Conoco, no other significant changes have been made to the overall business operations. Therefore, it has been determined that to legally correct the parcels' zoning classification to document the historical land uses, either a PD Amendment to the Parkglenn Development Guide and Map, or a rezoning request to C-Commercial will need to be requested concurrently with a Site Plan Amendment request.

The development parcel is located within the "Central Commercial Character Area" as described in the Parker 2035 Master Plan and as shown on the General Land Use Plan map. The Master Plan's goal and policies emphasizes that the growth within the Central Commercial Character Area with its central location and access to Parker Road, shall be focused on the development of commercial land uses including retail, community services, offices, lodging, restaurant, and entertainment land uses. The existing car wash is consistent with criteria identified in the General Land Use Plan for "Central Commercial Character Area".

Parker's Municipal Zoning Code/Land Use Ordinance, Section 13.04.120 pertaining to C-Commercial land uses identifies "Drive-in eating and drinking establishments" and "Car Wash, automatic or coin-operated" as "Uses Permitted by Right". Therefore, the zone modification request from Planned Development to C-Commercial is the most logical and appropriate method for documenting the historical car wash land use.

APPROVAL CONSIDERATIONS

In accordance with Town of Parker's Municipal Code, the Black Rock Coffee Bar and Wash 'N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications adhere to the 9 Approval Considerations referenced in Section 13.04.240(f)1-9 as follows:

1. A need exists for the rezoning proposal.

   The existing car wash land use does not currently adhere to the Parkglenn Subdivision Filing Number 3, Development Guide and Map as a "Uses Permitted by Right". Approval documentation of a "Special Use Permit" is not available in the Town of Parker's planning records. Therefore, to legally document the car wash business as an allowed land use, a rezoning request to C-Commercial is needed to correct the parcel's zoning overlay regulations.

2. The particular parcel of land is indeed the correct site for the proposed development.

   The exiting service-oriented development has been in continuous operation for 24 years and has provided much needed automotive and neighborhood services to the Town of Parker's citizens. The proposed zoning revision is consistent with the existing commercial service-related operations and complies with the C-Commercial Zone District objectives and goals.

   Based upon the surrounding automotive-oriented commercial businesses adjoining the subject development parcel, the existing car wash land use and proposed C-Commercial zoning classification is consistent with the original intent of the Parkglenn Development Guide and Map and shall not introduce a change in character to Parkglenn Subdivision as it currently exists. Furthermore, there are surrounding nearby food and beverage operations, classified as C-Commercial, consistent with the Town's Commercial Corridor vision.

3. There has been an error and or change in the original zoning.

   The request for a **zone modification from Planned Development to C-Commercial is** necessitated by either an entitlement inconsistency and or an error in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995. Because the car wash has been in continuous operation since 1997, a rezone change to C-Commercial will legally correct the parcel's zoning classification as deemed necessary to document the historical land uses.

   Parker's C-Commercial zoning classification complies with the original intent of the Planned Development envisioned zoning overlay and therefore, the zone change request to C-Commercial does not reflect a significant land use change from the original development intent. The proposed zone modification specifically adheres to the Town of Parker 2035 Municipal Code and satisfies the "Central Commercial Character Area" framework policies.

4. There have been significant changes in the area to warrant a zone change.

   There have been no significant changes to the land uses types within the Parkglenn Subdivision. However, the desire by consumers to visit modern facilities with more comprehensive services has rendered the current uses significantly less viable commercially, requiring extensive upgrades to facilities and services. Additionally, newer, more modern fuel centers, C-stores, and car washes have been or are envisioned to be developed within the Central Commercial Corridor.

5. Adequate circulation exists and traffic movement would not be impeded by development.

   As identified in the Traffic Letter prepared by SM Rocha, the proposed development will not create any negative impacts to the existing traffic patterns and is anticipated to improve circulation on the development site.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

   No additional municipal services are requested over and above the current service standards, and therefore no addition cost shall be incurred to the Town of Parker.

7. There are minimal environmental impacts or impacts can be mitigated.

   The proposed land uses shall reduce and or eliminate the existing environmental impacts associated with the existing Conoco Fuel Center. The existing car wash will be upgraded to include new energy saving and environmentally friendly wash equipment and therefore improving the environment impacts to the community.

8. The proposal is consistent with the Town Master Plan maps, goals, and policies.

   As identified in the Parker 2035 Master Plan and as shown on the General Land Use Plan map, the proposed Black Rock Coffee Bar and Wash 'N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications are consistent with the maps, goals, and policies as follows:

   - The subject development parcel is located within and adheres to the "Central Commercial Character Area Map" and addresses land use policies identified for the development of core retail and commercial service-related businesses adjacent to the Parker Road frontage.
   - The proposal includes a plan for beautification of Parker Road that includes safe pedestrian access along the CDOT controlled State Highway.
   - The redevelopment efforts incorporate improvements to an older commercial area as outlined in the Master Plan to make improvements to streetscapes corridors and building exterior frontages.
   - The proposed redevelopment is designed in a manner that adheres to the Town's Design Standards for commercial developments and addresses building massing, form, and design to create a series of unique places that contribute to the overall character of the Town of Parker as a distinctive community.
   - The development design concepts support quality appearance of the built environment as the structures age.
   - Minimize negative visual impacts from parking areas adjacent to the Parker Road corridor.
   - Attract and maintain a variety of employment opportunities for Parker residents.
   - Encourage and support a high level of diverse, quality retail and community services, with an emphasis on local businesses that contribute to Parker's sales and property tax base so the needed infrastructure, physical amenities, service s and expansion of such services are provided.
   - Sustain the long-term economic well being of the Town and its citizens through redevelopment and revitalization efforts.

9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

   Wash 'N Go of Colorado, LLC proposed redevelopment of the fuel and convenience store as a coffee shop with drive-thru will not require any additional levels of service with respect to the existing waste and sewage disposal, water, schools, parks and recreation, and other services. The existing car wash shall operate utilizing originally developed infrastructure and will likewise not require any additional service over and above the current business operation.

CONCLUSION

The request to rezone from Planned Development to C-Commercial is consistent with the Town of Parker's 2035 Comprehensive Master Plan and General Land Use Plan and Map. The proposed Black Rock Coffee Bar and Wash 'N Go Express Car Wash are land uses "Permitted by Right" within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended.

The subject development parcel is located within the "Central Commercial Character Area" and supports core retail and commercial services as specified in the Town's Master Plan goals and policies.

This request to rezone will clarify unknown Parkglenn PD discussions regarding the historical car wash use on the property.

Parker's Zoning/Land Use Ordinance, Section 13.04.120 for "C-Commercial" land uses identifies "Drive-in eating and drinking establishments" and "Car Wash, automatic or coin-operated" as "Uses Permitted by Right". Therefore, the zone modification request from Planned Development to C-Commercial is the most logical and legal method for documenting the historical car wash land use.

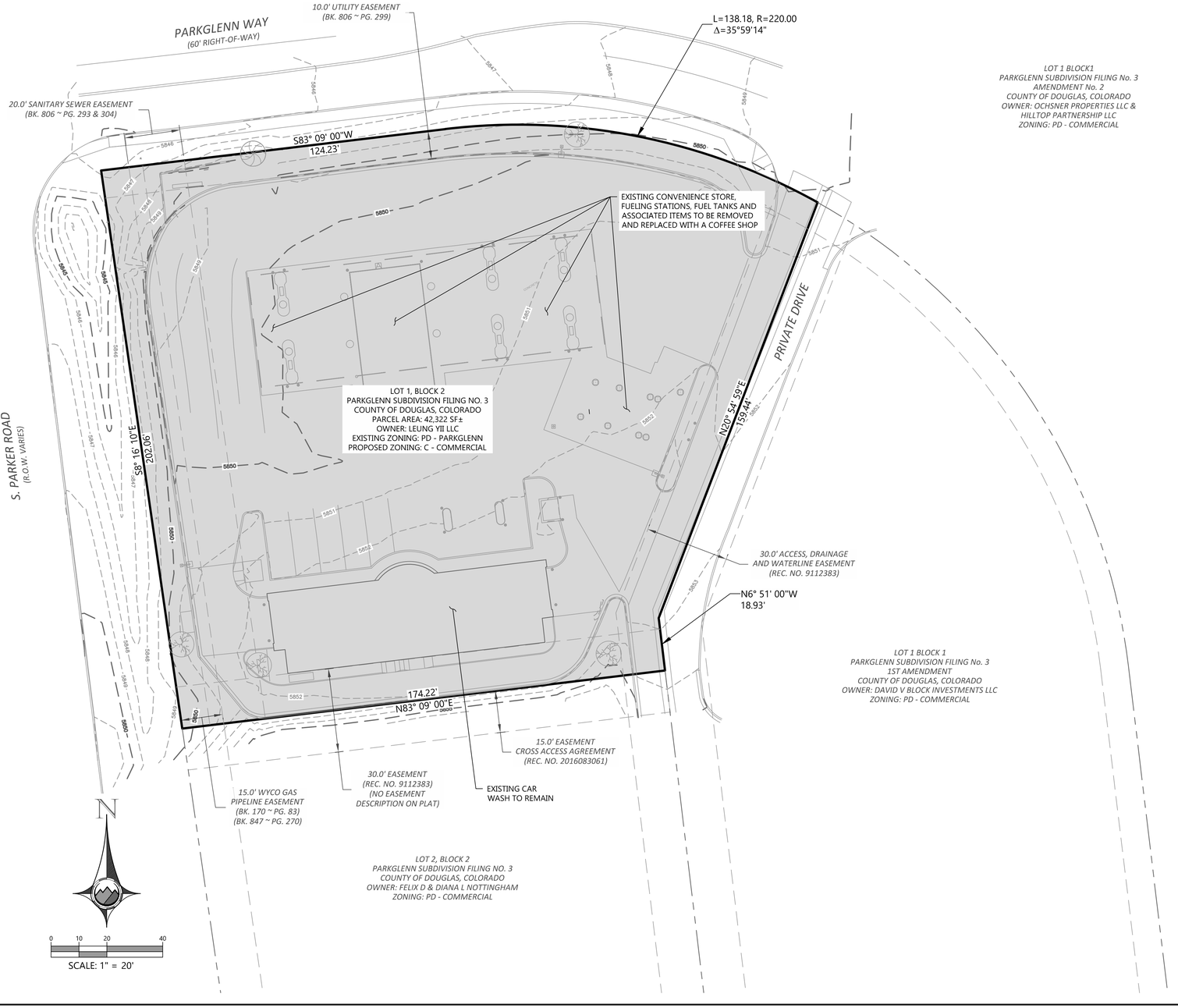
No significant changes shall be required to Town of Parker's Comprehensive Plan and or Municipal Codes.

ZONING MAP

BLACK ROCK COFFEE BAR & WASH 'N GO EXPRESS CAR WASH
C-COMMERCIAL ZONING FROM PLANNED DEVELOPMENT

LOT 1, BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3

SITUATED IN THE NORTHWEST 1/4 OF SECTION 15, T6S, R66W OF THE 6TH PM
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT
- LOT FOR REZONE

LEGAL DESCRIPTION:

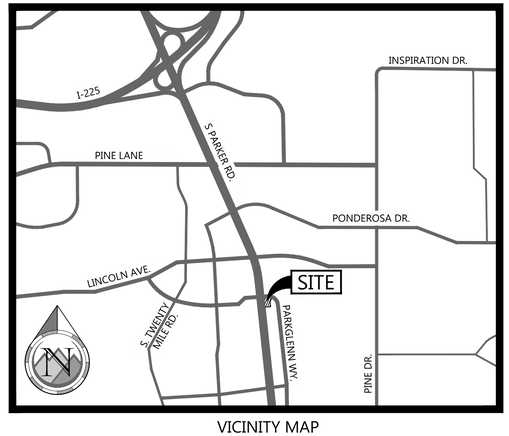
LOT 1, BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3
TOWN OF PARKER, STATE OF COLORADO.

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE WEST LINE OF LOT 1, BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3 BEARING N08°16'10"W AS REFERENCED ON SAID PLAT, REC. NO 199112383

OWNER
WASH 'N GO OF COLORADO, LLC
3740 DACORO LANE, SUITE 200
CASTLE ROCK, CO 80109
303-809-7766
JODY NEWTON

ENGINEER
PROOF CIVIL
800 W 8TH AVENUE STE 104
DENVER, CO 80204
303.325.5709
TODD LYON



VICINITY MAP
N.T.S.

PROOFCIVIL
consulting engineers
600 Grant Street | Suite 210 | Denver, CO

SEAL:

FOR AND ON BEHALF OF PROOF CIVIL CO.

REVISIONS

NO.	DATE	DESCRIPTION
1	01/28/2021	RESPONSE TO COMMENTS

PROJ. NO: 20031
DATE: 11/09/2020
DRAWN BY: ANM
CHECKED BY: TAL

ZONING MAP

BLACK ROCK COFFEE SHOP & WASH 'N GO EXPRESS CAR WASH
10159 PARKGLENN WAY
PARKER COLORADO

DRAWING NO.
Z1

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

January 19, 2021

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Krista Flynt

Re: Parkglenn F3 L1 B2 PD to C-Commercial Rezone, Case # Z20-020

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Parkglenn F3 L1 B2 PD to C-Commercial Rezone**. Please be advised that Public Service Company has existing natural gas distribution facilities within the areas indicated in this proposed rezone along the southeasterly property line. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com